

Exhibit B



March 8, 2024

David Glaser, Esq.
Fredrikson & Byron, P.A.
60 South Sixth Street, Suite 1500
Minneapolis, MN 55402-4400

RE: Notices of Payment Withhold

Dear Mr. Glaser:

The Minnesota Department of Human Services (DHS) Program Integrity Oversight Division (PIO) has reviewed your emails received on March 6, 2024 and March 7, 2024, regarding the payment withhold DHS issued for certain of Nuway's programs on February 29, 2024. The actions taken by DHS-PIO and notices sent to Nuway comply with requirements set forth in state and federal law, which require DHS to set forth general allegations as to the nature of the withholding action, but need not disclose any specific information regarding an ongoing investigation. *See Minn. Stat. § 256B.064, subd. 2(c)(2) and 42 C.F.R. § 455.23(b)(2)(ii).* Other information available to DHS at this time is confidential under Minnesota Statutes, section 13.46, subdivision 3, and for that reason, DHS cannot disclose any further information.

In addition, DHS has considered whether good cause exists under state and federal law to not withhold payments to Nuway and does not find good cause for the affected programs at this time. Therefore, the payment withhold will take effect as originally stated in the February 29, 2024 notices and will remain in effect until DHS or a prosecuting authority determines there is insufficient evidence of fraud, or until legal proceedings related to the alleged fraud are completed. Nuway continues to have the right to submit written evidence for consideration by the commissioner, as stated in the February 29, 2024 notices.

Sincerely,

A handwritten signature in black ink, appearing to read "Amanda Novak".

Amanda Novak, Manager Medicaid Provider Audits and Investigations
Program Integrity and Oversight Division
Office of the Inspector General
Minnesota Department of Human Services
Phone: 651-431-6378
Fax: 651-431-7569
MN Relay: 711 or (800) 627-3529